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17 **UNITED STATES DISTRICT COURT**
18 **DISTRICT OF NEVADA**

19 U.S. EQUAL EMPLOYMENT
20 OPPORTUNITY COMMISSION,

21 Plaintiff,

22 vs.

23 FOCUS PLUMBING, LLC, FOCUS
24 ELECTRIC, LLC, FOCUS CONCRETE,
25 LLC, FOCUS FIRE PROTECTION, LLC, and
26 FOCUS FRAMING, DOOR, & TRIM, LLC,
27 collectively dba FOCUS COMPANIES
28 GROUP OF NEVADA, and DOES 1-10,
inclusive,

Defendants.

Case No.: 2:21-cv-01758-GMN-EJY

**JOINT STIPULATION AND ORDER TO
EXTEND TIME FOR EXPERT
DISCLOSURES**

(FIRST REQUEST)

Per Local Rule IA 6-1, Local Rule 26-3, and the Scheduling Order at ECF 17, Plaintiff U.S. Equal Employment Opportunity Commission ("Plaintiff") and Defendants Focus Plumbing, LLC; Focus Electric, LLC; Focus Concrete, LLC; Focus Fire Protection, LLC; and Focus Framing, Door & Trim, LLC (collectively "Defendants") (collectively "Parties") respectfully

request to extend the date for Expert Disclosures, currently due May 6, 2022, to June 24, 2022, and anticipate filing a second stipulation shortly to address all remaining discovery.¹ The Parties make this request in good faith so they have time to conduct fact discovery pending the Court's ruling on Defendants' Partial Motion to Dismiss – which would significantly impact the scope of discovery. The Parties have also agreed to hire a private mediator to assist them in determining if an early resolution of this case is possible, and have begun the process of mediator selection. As such, the Parties believe an opportunity to explore settlement also provides good cause for the extension sought.

A. Discovery Completed

The Parties have been acting diligently to complete discovery in a timely manner. On January 27, 2022, the Parties held a joint Rule 26(f) conference. The same day, Defendant Focus Plumbing and Plaintiff each served their first set of requests for discovery; subsequently, Defendants Focus Plumbing and Focus Electric served a second set of discovery requests. On February 24, 2022, Plaintiff served its First Amended Initial Disclosures as additional claimants were identified.

On March 21, 2022, Plaintiff served timely responses to Defendant Focus Plumbing's First Set of Interrogatories and First and Second Sets of Requests for Production, as well as Defendant Focus Electric's First Set of Interrogatories. Plaintiff's document production included 1215 documents, including videos, and it anticipates supplementing its production. On March 21, 2022, Defendants timely responded to Plaintiff's discovery and served its First Amended Initial Disclosures. Defendants have produced 302 pages of discovery.

B. Discovery that Remains to be Completed and Good Cause

Despite acting diligently over the 78 days the Parties have been in discovery, the Parties are still in the process of processing and producing documents, including responsive ESI, depositions have yet to be coordinated and scheduled, and other fact discovery needs to occur before the Parties can meaningfully make expert disclosures. Crucially, the Court's ruling on the

¹ The deadline to file this stipulation for expert disclosures is April 15, 2022. Counsel for one or both Parties have been out of office due to personal reasons, including family medical emergencies, in the preceding weeks. Thus, the Parties' current stipulation addresses the expert disclosure deadline only.

1 Defendants' Partial Motion to Dismiss at ECF 9 could significantly impact the scope of
2 discovery, and is further reason to extend the upcoming May 6, 2022 deadline for expert
3 disclosures.

4 Regarding document production, on April 7, 2022, Plaintiff indicated to Defendants it
5 intends to meet and confer about Defendant's discovery responses and objections, and to discuss
6 ESI from relevant custodians and sources. Additionally, Plaintiff is in the process of collecting
7 reviewing and preparing documents for a supplemental production. As indicated in Plaintiff's
8 responses to Defendant's First Requests for Production, the process of collecting, reviewing, and
9 preparing documents for production is ongoing – this is necessarily so due to the nature of
10 Defendants' requests.

11 Plaintiff also intends to notice a deposition pursuant to Fed. R. Civ. P Rule 30(b)(6).
12 Plaintiff is finalizing the Notice and, once served, Defendants will need to designate one or more
13 corporate representatives and coordinate dates. The Parties also need to conduct fact depositions
14 of witnesses once Defendants' discovery responses are complete and/or motions to compel are
15 resolved. The Parties would also need to coordinate mutually agreeable dates.

16 Thus, the Parties are still in the early stages of discovery and have a significant amount of
17 discovery which needs to be completed before they can make expert disclosures.

18 **C. Proposed schedule for completing all remaining discovery**

19 The Parties propose extending the deadline for expert disclosures from May 6, 2022 to
20 June 24, 2022, and respectfully request leave to file a proposed schedule for completing all
21 remaining discovery by April 29, 2022.

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1 Dated: April 14, 2022

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3 Respectfully submitted,

Respectfully submitted,

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5 *s/ Sonya Shao*

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s/ Kelsey Stegall

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PROTECTION, LLC; and FOCUS FRAMING,
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19 **IT IS SO ORDERED:**

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UNITED STATES MAGISTRATE JUDGE

Dated: April 14th, 2022